



D. M. Sugimura, Director

**OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Address of Application:** 915 14<sup>th</sup> Avenue

## SUMMARY OF PROPOSED ACTION

The construction of townhouses had been reviewed under project #2303433.

The following approval is required:

(Seattle Municipal Code (SMC) Chapter 23.24)

[ ] DNS involving non-exempt grading or demolition or another agency with jurisdiction.

## **BACKGROUND DATA**

### **Site and Vicinity Description**

The 4800-sq. ft. proposal site is located on the west side of 14<sup>th</sup> Avenue approximately 120 feet from the intersection of 14<sup>th</sup> Avenue and East Marion Street. The site is rectangular in shape and is described as Lots 10, Block 15, Edes and Knights Addition to the City of Seattle. The site is currently developed with access from the 16-foot alley located to the rear of the lot. The existing structure will remain and a 2-unit townhouse will be constructed on the site towards the rear portion of the lot. Other features existing on the site include three cedar trees, two cherry trees and three pine trees. The diameter of these trees ranges from ten inches to twenty inches and most of them are located within the proposed building area. The site is generally flat from east to west. 14th Avenue is a collector arterial and it is fully developed with concrete curbs, sidewalks and gutters. The site is not designated as environmentally critical pursuant to the Environmental Critical Area Ordinance, SMC 25.09. The subject site is located in a Lowrise 1 (L-1) zone. The surrounding zoning to the north, west and to the extreme northeast is a Lowrise 3 (L-3) zone. The L-1 zone abuts the Major Institution Overlay 37 (MIO-37) L-3 zone to the south. Development in the immediate vicinity is predominantly a mixture of single family and multifamily uses.

### **Proposal Description**

The proposal is to subdivide the existing 4,800 sq. ft. lot into three unit lots (unit subdivision), with the following unit sizes proposed: A) 2,279 sq. ft., B) 1,260.4 sq. ft., and C) 1,260.4 sq. ft. Vehicular access to the unit lots is available from the 16-foot alley located at the rear property line. Each parcel will have an established surface parking space provided within the rear setback with direct access from the alley.

### **Public Comments**

Notice of the proposed project was published on June 26, 2003. The public comment period ended on July 23, 2003. One comment letter was received. The respondent expressed his concerns about the lack of parking in the area.

## **ANALYSIS - SHORT SUBDIVISION**

Based on information provided by the applicant, referral comments from DCLU, Water and Fire Departments, Seattle City Light, and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

Pursuant to SMC 23.24.40, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*

The proposed unit subdivision would provide adequate buildable area to meet development standards of the Lowrise 1 (L-1) zone. The site will meet the minimum density requirements of the zone and each lot would provide minimum open space required. The site as a whole will meet the development standards for the Lowrise 1 (L-1) zone.

2. *Adequacy of accesses for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Vehicular access is available from a 16-foot alley located adjacent to rear property line west of the site. The Seattle Fire Department has reviewed the proposed lot configuration in regards to fire protection and emergency vehicle access and has no objections.

Seattle City Light has reviewed the proposed short plat and determined that an overhead electric easement is required. Project approval will be conditioned upon recording of the appropriate easement.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

There is an existing single side sewer connection to an 8-inch combined public sewer (PS) located in 14th Avenue. In order to provide sewer service to the proposed new construction, a new connection to the PSS will be required. According to the drainage reviewer, an appropriate easement for the existing sewer connection has been provided and no further drainage and sewer conditions are necessary.

Seattle Public Utilities has approved the additional water line to the site. Naturally, all Water Department Conditions of approval must be met.

4. *Whether the public use and interests are served by permitting the proposed division of land:*

The public use and interest will be served with this proposal because additional opportunities for owner occupied housing would be provided within the City limits as a result of this subdivision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, Short Subdivisions and Subdivisions, in Environmentally Critical Areas.*

The proposal site is not located in a mapped environmentally critical area.

6. *Is designed to maximize the retention of existing trees.*

There are seven existing trees on site. The proposed lot configuration and the issued building permit do not have enough buildable area to not necessitate the removal of some existing trees located within the proposed building area in the lot. However, the related construction plans

under project #2303433 provided a proposed landscape plan, which includes specific location and description of trees and shrubs.

7. *Conformance to the provisions of Section 23.24.045, Townhouses, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses.*

The provisions of SMC Section 23.24.045 are as follows:

- A. *The provisions of this Section apply exclusively to the unit subdivision of townhouses, cottage housing, clustered housing, or single-family residences in Lowrise zones.*

The subject proposal would establish separate lots for two townhouses and one single-family residence in a Lowrise 1 zone, thus falling within the provision of SMC Section 23.24.045.

- B. *Site developed or proposed to be developed with dwelling units listed in subsection A above may be subdivided into individual unit lots. The development as a whole shall meet the development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual units lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lots, except that any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.*

Approval of the development pursuant to application #2303433 demonstrates that the development as a whole, on the parent lot, satisfies applicable development standards. Useable private open space for each dwelling unit has been shown on the related building permit and the proposed short plat.

- C. *Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.*

The condition added pursuant to criterion F below should assure that proper control of future platting actions or modifications to structure(s) is appropriately limited.

- D. *Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard space for cottage housing), and similar features, as recorded with the Director of the King County Department of Records and Elections.*

A joint use and maintenance agreement for the easement must be provided with the final recording documents.

- E. *Within the parent lot, required parking for a dwelling unit maybe provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that*

*parking is formalized by an easement on the plat, as recorded with the Director of King County Development of Records and Elections.*

Three surface parking spaces will be provided on the site with access easements granted to all the proposed dwelling units on the site.

- F. The fact that additional development of the individual unit lots may be limited as result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of King County Department of Records and Elections.*

Review of the site plan shows that the proposed short subdivision conforms to applicable standards of SMC 23.24.045, and applicable standards for unit subdivisions. To assure that future owners have constructive notice that additional development may be limited the following statement shall be required as a condition and be included as a note on the final short subdivision. "The lots created by this unit subdivision are not separate buildable lots. Additional development on these unit lots in this unit subdivision may be limited as a result of the application of development standards to their parent lot pursuant to applicable provisions of the Seattle Land Use Code".

#### **DECISION - SHORT SUBDIVISION**

The application to subdivide one parcel into five unit lots is **CONDITIONALLY APPROVED**.

#### **CONDITIONS- SHORT SUBDIVISION**

##### **Prior to recording**

The owner(s) and responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. The boundaries shall be adjusted if necessary to meet the requirements of the Land Use Code.
2. Applicant shall add a note to the face of the plat stating: "The lots created by this unit subdivision are not separate buildable lots. Additional development on these unit lots in this subdivision may be limited as a result of the application of development standards to their parent lot pursuant to applicable provisions of the Seattle Land Use Code".

3. Add the conditions of approval after recording on the face of the plat or on a separate page. If the conditions are on a separate page, insert on the face of the plat "For conditions of approval after recording, see page \_\_\_\_ of \_\_\_\_."
4. The easement as described in Seattle City Light's P.M. #250432-1-007 shall be included on the final plat.
5. Provide final recording forms and fees.
6. Provide a joint maintenance and responsibility agreement for ingress, egress, and utility easements and for maintenance and use of shared walls on property lines.
7. A street address sign shall be erected facing 14<sup>th</sup> Avenue, which shows addresses for all lots on the site. An easement or covenant shall be recorded with the final plat to ensure that the address signage is maintained.

Signature: (signature on file) Date: September 25, 2003

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